

To all High Court Judges, Judicial Officers and Presidents of the Labour Tribunals

**Guidelines on new filings**

In view of the outbreak of COVID - 19 and due to the disruption of normal court work as a result of the same since 16.03.2020, Judicial Service Commission directed me to bring to your attention the following guidelines in relation to new filings.

1. All judicial officers / judges are required to take steps to publish a notice through the Registrar, setting out the date from which the Registry will be open to accept new filings and in addition, the hours of the day during which such filings will be accepted also must be specified in the notice. The circumstances and the situation in the respective Judicial Zones / Districts / Divisions may be taken into consideration, in taking these steps.
2. In the event any objection is raised by any party based on the limitations of time relating to such new filings, all judicial officers / judges are directed to consider *inter alia* the following factors:
  - a. The time period within which the Registry remained closed due to the measures implemented to combat COVID -19 pandemic;
  - b. The impact of the restricted and / or limited services that was made available to the public by the Registry even on the days curfew was not imposed;
  - c. The impact of the general situation that prevailed during the relevant period, including travel restrictions, limited access to necessary facilities and the opportunity to seek legal advice etc;
  - d. Provisions in section 8 of the Interpretation Ordinance;
  - e. The applicability of legal principles arising from the maxim "*lex non cogit ad impossibilia*"; and
  - f. Relevant judicial pronouncements.

Under the Command of the Judicial Service Commission

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